

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

LAUREN BALLARD,

Plaintiff,

v.

WESTON & SAMPSON ENGINEERS, INC, ET
AL.,

Defendants.

C/A No. 2:24-cv-01682-RMG-BM

JOINT DISCOVERY PLAN

Pursuant to Rule 26(f), Fed. R. Civ. P., and Local Civil Rule 26.03, the parties hereby submit their proposed discovery plan in conjunction with the Rule 26(f) Report:

- (A) **What changes should be made in the timing, form or requirement for disclosures under Rule 26(a), including a statement as to when disclosures under subdivision (a)(1) were made or will be made;**

RESPONSE: The parties agree to file Rule 26(a)(1) disclosures by September 20, 2024.

- (B) **The subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused upon particular issues;**

RESPONSE: It is anticipated that discovery will be completed on or before **May 13, 2025**.

The parties agree that discovery should be conducted as to liability, damages, and affirmative defenses. The parties are currently unaware of any need to conduct discovery in phases.

- (C) **Any issues about disclosure or discovery of electronically stored information, including the form or forms in which it should be produced;**

RESPONSE: The parties do not have any specific issues at this time regarding disclosure or discovery of ESI.

- (D) Any issues about claims of privilege or of protection as trial-preparation materials, including – if the parties agree on a procedure to assert these claims after production – whether to ask the court to include their agreement in an order;**

RESPONSE: No issues are anticipated regarding claims of privilege or protection of trial-preparation materials. The parties agree that the production of privileged or work-product protected documents, electronically stored information (“ESI”) or information, whether inadvertent or otherwise, is not a waiver of the privilege or protection from discovery in this case or in any other federal or state proceeding. In furtherance of this agreement, the parties have moved jointly for entry of a protective order pursuant to Rule 502(d) of the Federal Rules of Evidence.

- (E) What changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and**

RESPONSE: The parties propose that discovery should be allowed to the extent permitted under Rule 26 of the Federal Rules of Civil Procedure, as amended.

- (F) Any other orders that the court should issue under Rule 26(c) or under Rule 16(b) and (c).**

RESPONSE: The parties have agreed that it is necessary to enter into a consent confidentiality order pursuant to Rule 26(c) prior to the exchange of certain information during the discovery process as well as a Rule 502(d) order to protect the inadvertent waiver of privileged material. The parties will submit proposed orders pursuant to the Court’s guidelines at the appropriate time.

[SIGNATURE PAGE ATTACHED]

Respectfully submitted,

s/ Jennifer Munter Stark

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Dated this the 13th day of September, 2024.